

Check # 3631 \$50.00

16-SC-4049

State of Wisconsin  
Department of Natural Resources  
PO Box 7921, Madison WI 53707-7921  
dnr.wi.gov

## Fish Farm Application For Use of Natural Body of Water

Form 3600-227 (R 3/13)

Page 1 of 2

**Notice:** Use of this form is required by the Department for any application filed pursuant to ss. 29.733, Wis. Stats., and ss. NR 19.90-95, Wis. Adm. Code. The department will not consider your application unless you provide all information requested and submit the fee(s) indicated for the permit(s) selected. A social security number or federal employer identification number is **REQUIRED** when applying for a license listed in ss. 29.024(2g) or 29.024(2r), Wis. Stats. The number **SHALL NOT** be disclosed to any other person except the Department of Workforce Development or the Department of Revenue to determine liability for delinquent Wisconsin taxes or child or family support. Other personally identifiable information requested on this form will be used for program administration and may be provided to requesters as required by Wisconsin's Open Records law [ss. 19.31-19.39, Wis. Stats.].

Mail this form with its attachments and required fee to WDNR -Natural Waterbody Permits FH/4, PO Box 7921 Madison, WI 53707-7921.

## Applicant Information

Applicant Name: First MI Last <i>James R Pickhardt</i>				Co-Applicant Name: First MI Last <i>Arden A Pickhardt</i>			
Address <i>W 236 Hy 33</i>				Address <i>Same</i>			
City <i>Randolph</i>		State <i>WI</i>	ZIP Code <i>53956</i>	City		State	ZIP Code
Phone Number <i>920 326 5129</i>		Social Security No./ Fed. Employer ID No.		Phone Number		Social Security No./ Fed. Employer ID No.	

## Project Information

Business Name (if any) <i>N/A</i>				Waterway Name <i>N/A</i>			
Address <i>Same</i>				Water Source (identify as gallons per minute, gpm)			
<input type="radio"/> City <input checked="" type="radio"/> Town <input type="radio"/> Village of County <i>Columbia</i>				Spring <i>X</i>	Well	Stream	City Water
Fire Number (if applicable) <i>W 236</i>				Is there a discharge to a water of the state? <input checked="" type="radio"/> Yes <input type="radio"/> No			
1/4 1/4 <i>NW/NE</i>	1/4 NE/NE <i>SE/NE</i>	Section <i>36</i>	Township <i>13 N</i>	Range <i>12</i>	If Yes, Indicate: <input type="checkbox"/> Waterway <input checked="" type="checkbox"/> Wetland		Discharge (gpm) <i>N/A</i>

## Project Description

A "natural body of water" is defined in Wisconsin law as any spring, stream, pond, lake or wetland that was historically present in a natural state but may have been physically altered over time. A "freeze-out pond" is defined in Wisconsin law as a natural, self-contained body of water in which freezing or anoxic conditions prevent the body of water from naturally sustaining a fish population at least twice every 5 years.

Operating a fish farm in a Natural Body of Water requires a permit under NR 19, Wis. Adm. Code. I am applying for:

- ☒ **NR 19 Permit Renewal** - for continued use of a natural waterbody that was previously permitted as a preexisting fish rearing facility or a freeze-out pond.
- ☐ **Initial NR 19 Permit** - for new use of a natural waterbody for fish farming (note, the waterbody must be a freeze-out pond).
- ☐ **Transfer of NR 19 Permit** - to convey an existing NR 19 permit from one party to another, as a result of change in ownership or leasehold interest of a fish farm.

Number and dimension of ponds, raceways or tanks. Describe here and attach a diagram (Attachment # 4)

*Pond #1 - 350' X 450' Pond #2 650' X 190'*

Business Purpose: Activities engaged in. (select all that apply)

- |  |   |  |
|--|---|--|
| <input type="checkbox"/> Distributor           | <input type="checkbox"/> Processor, On-Site                   | <input type="checkbox"/> Public Fee Fishing                                    |
| <input type="checkbox"/> Hatchery              | <input type="checkbox"/> Grower                               | <input type="checkbox"/> Raising Fish For Stocking                             |
| <input type="checkbox"/> Raising Bait For Sale | <input checked="" type="checkbox"/> Private, Personal Fishing | <input type="checkbox"/> Raising Fish to Directly Market for Human Consumption |
| <input type="checkbox"/> Other - Specify:      |   |  |

1. What type of pesticides do you currently use or plan to use?

*None*

2. Is your fish farm equipped with barriers that prevent the passage of fish between it and other water of the state? ☒ Yes ☐ No

3. If you are applying for an NR 19 Permit Renewal, have you made any facility changes - expansion, additional ponds, different species reared, etc. - over the last ten years?

☐ Yes ☒ No If yes, describe:



**Species Information**

Complete the following information regarding your operation: List the quantity of each size of the species of fish you possess or plan to raise on an annual basis in each pond, raceway, natural body of water, freeze-out pond, self-contained body of water or preexisting fish-rearing facility.

Fish	Eggs	Fry	Fingerling	Yearling	Adult	Fish	Eggs	Fry	Fingerling	Yearling	Adult
Bass	Unknown					Bluegill					
Largemouth						Crappie					
Bass						Perch					
Smallmouth						Pumpkinseed					
Bullhead						Sunfish					
Muskellunge						Tilapia					
Northern Pike						Brook Trout					
Walleye						Brown Trout					
Chubs						Lake Trout					
Minnows						Rainbow Trout					
Shiners						Other (List):					
Suckers											
Atlantic Salmon											
Chinook Salmon											
Coho Salmon											

**Attachments (Provide all of the following)**

- CSM 1. Location sketch of map showing route to the project site, indicating nearest main road and crossroad, north arrow and scale.
- CSM 2. Photocopy of deed, lease, land contract or other documentation showing that the land that is riparian to the body of water is owned, leased, or controlled by the permit applicant.
- CSM 3. Photocopy of plat book showing property owners; photocopy of any easements for all properties surrounding the waterbody; and other documentation to show that none of the owners of the fish farm or riparian lands provide public access to the body of water by means of an easement or right-of-way or by means of a business open to the public. Note: the owners of the fish farm may allow fishing by the public for a fee.
- SK 2X 4. Diagram showing number and dimensions of all ponds, raceways, tanks or other waterbodies to be used for fish farming.
- N/A 5. For an Initial NR 19 Permit – Documentation to show the natural waterbody is a "freeze-out pond", meaning it is self-contained and has freezing or anoxic conditions that prevent a naturally-sustaining fish population at least twice every five years.
- N/A 6. For a Transfer of NR 19 Permit – Photocopy of the previous owner's NR 19 permit, and documentation to show change of ownership.
- X 7. Photocopy of any other permits or authorizations required by Ch. 30 or 31, Wis. Stats., the Army Corps of Engineers and any other federal, state or local laws and zoning ordinances for construction or operation of the fish farm. (Note: Permits issued under Ch. 30.19, 30.195 or 31.04 may mean your waterbody is exempt from a permit requirement.) DNR 12/11/02
- X 8. Photocopy of Department of Agriculture, Trade and Consumer Protection (DATCP) Fish Farm Registration from current or previous year. 2013

Note: If conditions 2, 3, and 7 are met, then the DNR may find that your fish farm is exempt from a Natural Waterbody permit requirement. If so, the DNR will return your application and notify you of this finding.

**Type of Permit and Fees**

- ☐ Transfer of NR 19 Permit - \$100 fee
- ☐ Initial NR 19 Permit - \$ 500 fee
- ☒ NR 19 Permit Renewal- \$50 fee.

Make check or money order payable to the Department of Natural Resources (DNR)

Total Fees Enclosed:

50.00

50.00

**Application Certification**

Signature of Authorized Representative

Date Signed

James Rickhardt

5-9-2013

Leave Blank – DNR Use Only

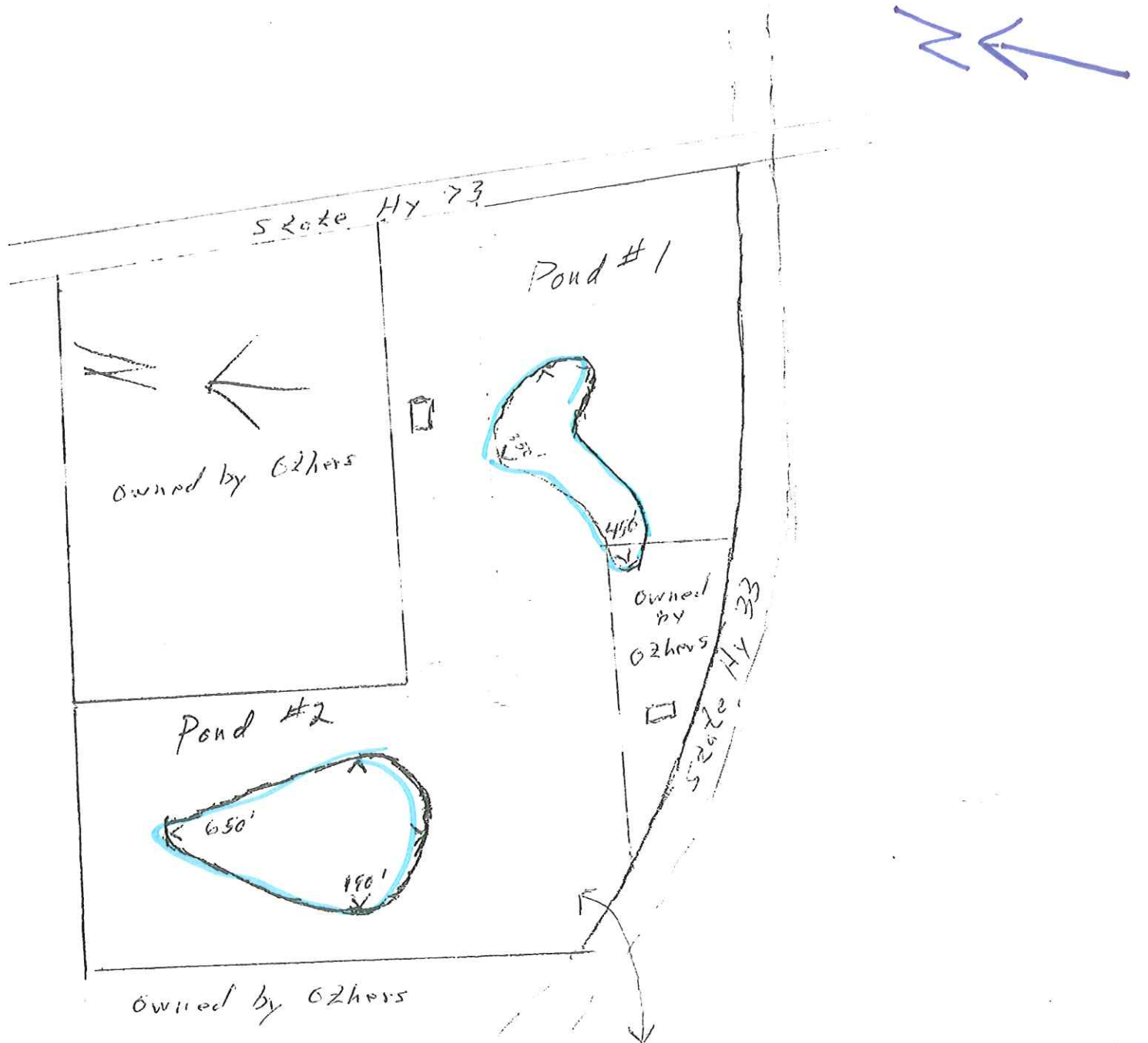
Received By

Date Received

DNR Docket Number

Application Date

Not to Scale



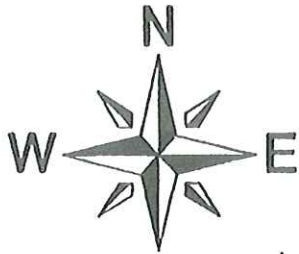
James + Ardy Lh Pickhard &  
W 236 Hy 33  
Randolph, WI 53956  
920 326 5128  
5-9-2013



**COLUMBIA COUNTY CERTIFIED SURVEY MAP NO.****GENERAL LOCATION**

BEING A PART OF THE NW1/4 OF THE NE1/4, THE NE1/4 OF THE NE1/4 AND THE SE1/4 OF THE NE1/4, SECTION 36, T.13 N., R.12 E., TOWN OF RANDOLPH, COLUMBIA COUNTY, WISCONSIN.

PARCEL NO. 703



**BASIS OF BEARINGS:** IS  
THE NORTH LINE OF THE NE1/4,  
WHICH IS RECORDED TO BEAR  
N88°01'57"E PER C.S.M. 3288.

**SCALE:** 1" = 200'

**LEGEND**

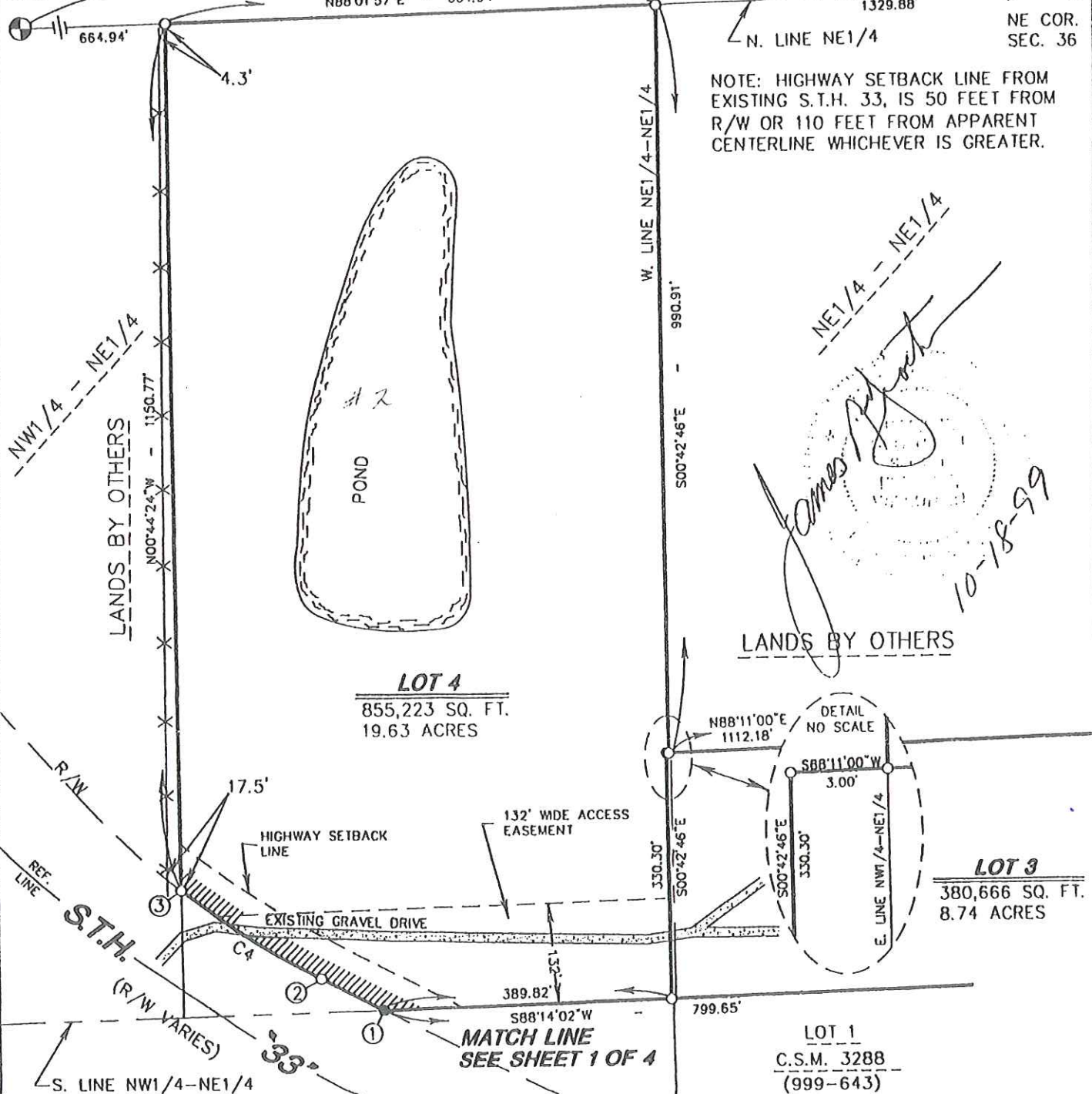
○ 3/4" X 24" IRON ROD SET  
(WT. = 1.5 LBS./L.F.)

● 3/4" IRON ROD FND.

⊙ COLUMBIA CO. MON. FND.

//// INDICATES NO DIRECT ACCESS

N1/4 COR.  
SEC. 36



As prepared by:

**GROTHMAN & ASSOCIATES, S.C.**  
**LAND SURVEYORS**

OWNER

JAMES PICKHARDT  
W204 S.T.H. 33  
RANDOLPH, WI 53956

CLIENT

JAMES PICKHARDT  
W204 S.T.H. 33  
RANDOLPH, WI 53956

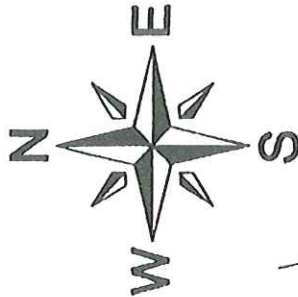
DOCUMENT NO. 614937

Columbia County Register of Deeds

**COLUMBIA COUNTY CERTIFIED SURVEY MAP NO. 3317**  
GENERAL LOCATION

BEING A PART OF THE NW1/4 OF THE NE1/4, THE NE1/4 OF THE NE1/4 AND THE SE1/4 OF THE NE1/4, SECTION 36, T.13 N, R.12 E, TOWN OF RANDOLPH, COLUMBIA COUNTY, WISCONSIN.

CONTAINING: 1,536,678 SQ. FT. - 35.28 ACRES PARCEL NO. 707 & 703.



SCALE: 1" = 200'

**BASIS OF BEARINGS:** IS THE NORTH LINE OF THE NE1/4 WHICH IS RECORDED TO BEAR N88°01'57"E PER C.S.M. 3288.

**LEGEND**

○ 3/4" X 24" IRON ROD SET (WT. = 1.5 LBS/L.F.)

● 3/4" IRON ROD FND.

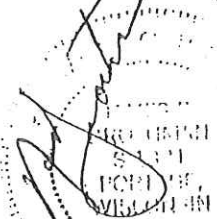
⊕ COLUMBIA CO. MON. FND.

▨ INDICATES NO DIRECT ACCESS

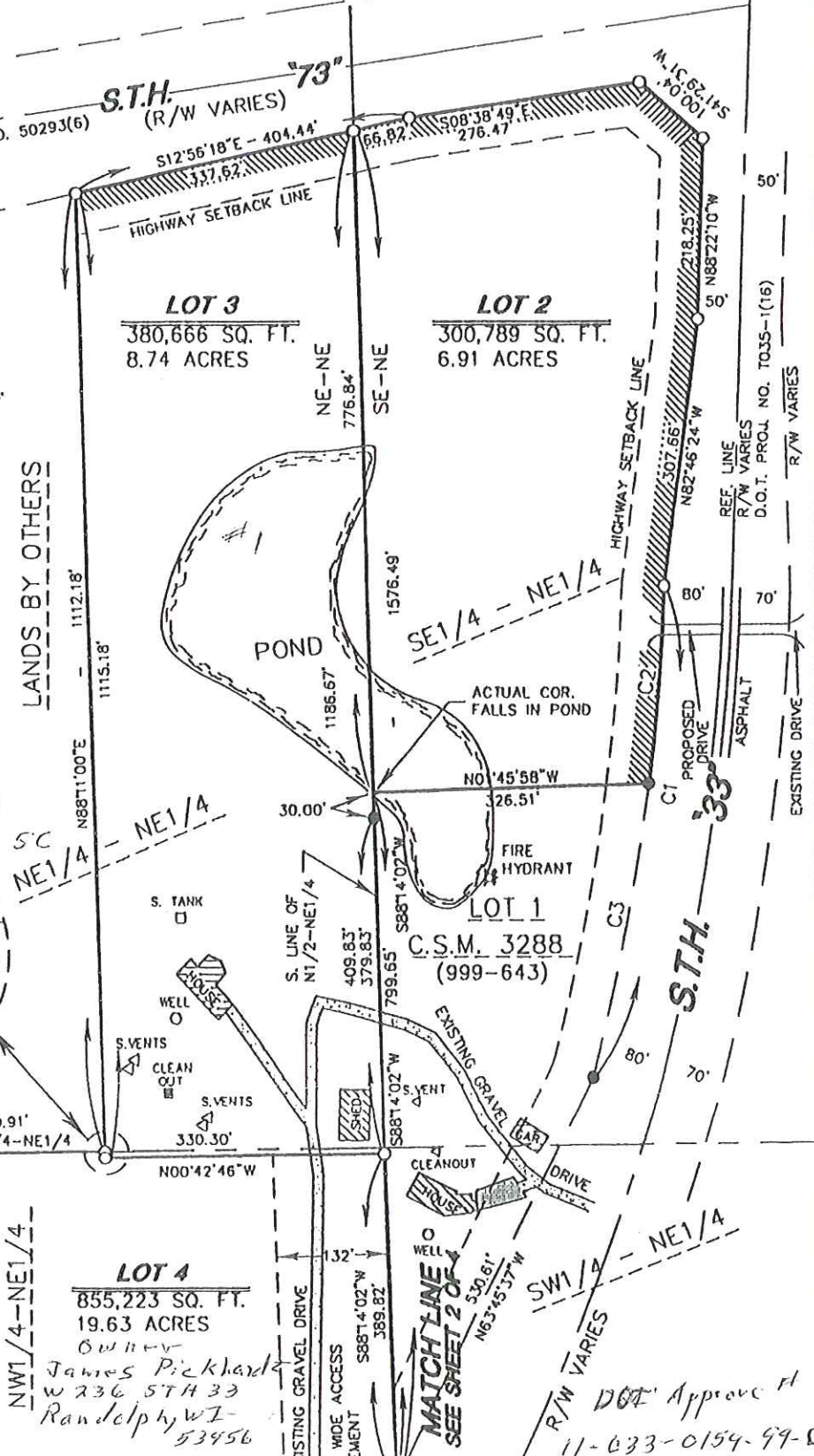
*Grochman + Associates*  
608-742-7488  
Perdue WI

W. LINE NE1/4-NE1/4  
3.00'

DETAIL NO SCALE



NOTE: HIGHWAY SETBACK LINE FROM EXISTING S.T.H. 73 AND EXISTING S.T.H. 33 IS 50 FEET FROM R/W OR 110 FEET FROM APPARENT CENTERLINE



**LOT 4**  
855,223 SQ. FT.  
19.63 ACRES

*James Pickhardt*  
W 236 STH 33  
Randolph WI  
53456

*DOT Approve*  
11-033-0154-99-0





Wisconsin Department of Agriculture, Trade and Consumer Protection

2811 Agriculture Drive, PO Box 8911, Madison, WI 53708-8911

**Effective Date: April 01, 2013**  
**Expires: March 31, 2014**  
**Statute: 95.60**

**Registration Number: 113062-AQ**

## Fish Farm Registration

**Legal Name:**

**James Pickhardt, Ardyth Pickhardt**

**Business Location:**

**W236 State Road 33 Randolph WI  
53956-9401**

**Doing Business As:**

**James and Ardyth Pickhardt**

**Livestock Premises Code(s): 0073OJV**

**Type 1 Fish Farm**

This is your license/permit/certification/registration document. Post or carry as required by law. Non-transferrable - subject to revocation or suspension as provided by law.  
DMS-BIT-06B (03/19/10) Remove this card and carry as identification.

bits-16.qxd (rev.03/12)

**JAMES PICKHARDT  
W236 STATE ROAD 33  
RANDOLPH WI 53956-9401**



Wisconsin Department of  
Agriculture, Trade and Consumer Protection

**Fish Farm Registration  
Type 1 Fish Farm**

**James Pickhardt, Ardyth Pickhardt**

**Registration Number: 113062-AQ**  
**Expiration Date: March 31, 2014**  
**W236 State Road 33 Randolph WI  
53956-9401**

**DATCP Contact : (608) 224-4887**



## State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Scott McCallum, Governor  
Darrell Bazzell, Secretary  
Ruthe E. Badger, Regional Director

South Central Region Headquarters  
3911 Fish Hatchery Road  
Fitchburg, Wisconsin 53711-5397  
Telephone 608-275-3266  
FAX 608-275-3338  
TTY 608-275-3231

December 11, 2002

JAMES & ARDYTH PICKHARDT  
W236 HWY 33  
RANDOLPH, WI 53956

*Received  
12-13-02*

# 16-SC-4049

Dear Mr. PICKHARDT:

Thank you for recently submitting an NR 16 Permit Application for Use of a Natural Waterbody for your fish farm, which is registered with the Department of Agriculture, Trade and Consumer Protection (DATCP). You will be pleased to know your application is approved, and your NR 16 Grandfathered Natural Waterbody Permit is attached.

As long as you maintain your annual DATCP Fish Farm Registration, your Natural Waterbody permit is valid for ten years from the date of issuance. One year before this permit expires, we recommend that you contact DNR to submit a permit application for renewal of your Natural Waterbody permit. Your renewal application must be submitted at least 60 days before permit expiration. Unless we determine that there has been a substantial changes in circumstances related to the public interest or public rights associated with your fish farm, we will renew the Natural Waterbody permit for another ten years.

If you sell, lease or transfer control of the land surrounding your fish farm to someone else, you also need to transfer this Natural Waterbody permit. To request this transfer, the new owner should submit a Natural Waterbody permit application with a non-refundable permit fee (currently \$100).

Please note that your project was not reviewed for compliance with other types of approvals that might be required by federal, state or local laws. Physical alterations in or near wetlands, ponds or streams, well construction and wastewater discharges are all activities that may require a permit from the DNR. If you believe you may need DNR approval for any of these completed or future activities, please contact me at the address or phone number listed above. I can put you in with other DNR staff who can help you bring your project into compliance with state environmental laws.

If you have any questions about this permit, please contact me.

Sincerely,

Scot Stewart  
Regional Fisheries Expert



**STATE OF WISCONSIN  
DEPARTMENT OF NATURAL RESOURCES**

**NATURAL WATERBODY PERMIT  
PERMIT # 16-SC-4049**

APPLICANT INFORMATION

JAMES & ARDYTH PICKHARDT  
W236 HWY 33  
RANDOLPH, WI 53956

**PERMIT CONDITIONS**

1. This permit authorizes use of a natural body(s) of water as a fish farm, to propagate or rear the fish species identified on your permit application form #3600-227, except where modified by the conditions of this permit. The specific natural body(s) of water authorized are: two landlocked spring-fed ponds totaling 6.8 acres in size.
2. This permit authorizes only those fish farming activities specified on your permit application form #3600-227. If you plan to alter any of the fish farming activities, you must first notify the Department.
3. You are responsible for obtaining any other federal, state or local permits or approvals that may be required for the construction and/or operation of your fish farm.
4. You must keep a copy of this permit at the location of the fish farm at all times.
5. Your acceptance of this permit and operation of the fish farm signifies that you have read, understood and agreed to follow all conditions of this permit.
6. Upon reasonable notice, you shall allow access to your project site during reasonable hours to any Department employee who is investigating the fish farm's operation, maintenance or compliance with this permit.
7. The Department may modify or revoke this permit if the project is not operated in accordance with this permit, or if the Department determines the activity is detrimental to the public interest or private rights.
8. In accordance with section 29.734, Wisconsin Statutes, the fish farm body of water must be equipped with barriers that prevent the passage of fish between it and the other waters of the state.

**FINDINGS OF FACT**

1. JAMES & ARDYTH PICKHARDT has filed an application pursuant to section 29.733, Wis. Stats., for a permit to use a natural body of water for fish farming. The waterbody(s) are in the Town of Randolph, located in the SENE of Section 36, Town 13N, Range 12E, Columbia County.
2. Pursuant to section 29.733, Wis. Stats., the department has made the following determinations:
  - a. The land riparian to the water body is owned, leased or controlled by the fish farm owners;



- b. None of the owners of the fish farm or of the riparian land provide access to the body of water by means of an easement or other right-of-way to the public;
  - c. The body of water is a preexisting fish rearing facility as defined in s. 29.001(64), Wis. Stats.
- 3. The Department of Natural Resources and the applicant have completed all procedural requirements, and the project as permitted will comply with all applicable requirements of Sections 1.11, 29.733 and 283, Wisconsin Statutes, and Chapters NR 16, 102, 103, 115, 116, 117, 150, and 299, Wisconsin Administrative Code.
  - 4. Under section 29.733(2)(b), Wis. Stats., for preexisting fish rearing facilities, the department has not made any determination that no substantial public interest exists in the body of water or that no public or private rights in the body of water will be damaged.
  - 5. The department has not reviewed this fish farm operation for compliance with other regulatory requirements, including chapter 30 or 31, Wis. Stats. permits, Wisconsin Pollution Discharge Elimination System (WPDES) requirements, or any other Statutes or Administrative Codes not listed above.

#### CONCLUSIONS OF LAW

- 1. The Department has the authority under s. 29.733, Wis. Stats. and NR 16-Subchapter II, Wis. Adm. Code to issue a permit allowing the use of a natural body of water for operation of a fish farm.
- 2. The proposed fish farm operation conforms to the review standards of section 29.733, Wis. Stats. and NR 16-Subchapter II, Wis. Adm. Code.

#### ORDER

IT IS THEREFORE ORDERED THAT the application of JAMES & ARDYTH PICKHARDT, for a permit to use a natural body of water as a fish farm pursuant to s. 29.733, Wis. Stats., in the Town of Randolph, Columbia County, be, and the same hereby is, APPROVED.

#### NOTICE OF APPEAL RIGHTS

If you believe that you have a right to challenge this decision, you should know that the Wisconsin statutes and administrative rules establish time periods within which requests to review Department decisions shall be filed. For judicial review of a decision pursuant to sections 227.52 and 227.53, Wis. Stats., you have 30 days after the decision is mailed, or otherwise served by the Department, to file your petition with the appropriate circuit court and serve the petition on the Department. Such a petition for judicial review shall name the Department of Natural Resources as the respondent.

To request a contested case hearing pursuant to section 227.42, Wis. Stats., you have 30 days after the decision is mailed, or otherwise served by the Department, to serve a petition for hearing on the Secretary of the Department of Natural Resources, P.O. Box 7921, Madison, WI,

53707-7921. The filing of a request for a contested case hearing is not a prerequisite for judicial review and does not extend the 30-day period for filing a petition for judicial review.

A request for contested case hearing must follow the form prescribed in section NR 2.05(5), Wis. Adm. Code, and must include the following information:

1. A description of the Department's action or inaction which is the basis for the request;
2. The substantial interest of the petitioner which is injured in fact or threatened with injury by the Department's action or inaction;
3. Evidence of legislative intent that this interest is not to be protected;
4. An explanation of how the injury to the petitioner is different in kind or degree from the injury to the general public caused by the Department's action or inaction;
5. That there is a dispute of material fact, and what the disputed facts are;
6. The statute or administrative rule other than s. 227.42, Wis. Stats., which accords a right to a hearing.

This notice is provided pursuant to section 227.48(2), Wis. Stats.

STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES  
For the Secretary

by Scot Stewart  
Scot Stewart  
Regional Fisheries Expert

12/11/02  
Date